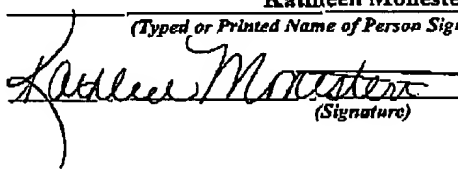


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BD Intel Propty Dept

JUL 26 2005

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Nicholas R. Bachur, Jr. et al.			Docket No. P-5026
Application No. 09/892,061	Filing Date 6/26/01	Examiner W. Beisner	Group Art Unit 1744
Invention: System and Method for Optically Monitoring the Concentration of a Gas, or the Pressure in a Sample Vial to Detect Sample Growth			
<p>I hereby certify that this <u>Response to Notice of Non-Compliant Amendment/Claim Listing</u> <i>(Identify type of correspondence)</i> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>July 26, 2005</u> <i>(Date)</i></p> <p style="text-align: right;"> <u>Kathleen Monesteri</u> <i>(Typed or Printed Name of Person Signing Certificate)</i>  <i>(Signature)</i> </p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

JUL 26 2005

PATENT P-5026IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


APPLICANT(S): Nicholas R. Bachur, Jr. et al.

SERIAL NO.: 09/892,061

GROUP: 1744

FILING DATE: June 26, 2001

EXAMINER: W. Beisner

FOR: System and Method for Optically Monitoring the Concentration
of a Gas, or the Pressure in a Sample Vial to Detect Sample
GrowthCommissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING FAXED TO 571-273-8300 TO: COMMISSIONER
FOR PATENTS, ALEXANDRIA, VA 22313-1450 ON: July
26, 2005 BY: Kathleen Monesteri
(SIGNATURE)RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Applicants received a Notice of Non-Compliant Amendment dated July 13, 2005. The Amendment filed by Applicants on June 27, 2005 was considered to be non-compliant due to a non-complete claim listing.

Attached hereto is a replacement claim listing, which should be substituted for the listing provided with the Amendment of June 27, 2005.

If there are any additional fees related to this Amendment, such fees should be charged to Deposit Account No. 02-1666.

Respectfully submitted,

Scott J. Rittman
Registration No. 39,010BECTON, DICKINSON AND COMPANY
1 Becton Drive
Franklin Lakes, NJ 07417-1880
(201) 847-6356
Doc#93332v5

PATENT P-5026**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**APPLICANT(S): **Nicholas R. Bachur, Jr. et al.**SERIAL NO.: **09/892,061**GROUP: **1744**FILING DATE: **June 26, 2001**EXAMINER: **W. Beisner**FOR: **System and Method for Optically Monitoring the Concentration of a Gas, or the Pressure in a Sample Vial to Detect Sample Growth**Commissioner of Patents
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